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DIVISION

2006 NOV 16 PM 4:07

DIVISION

Allowed July 24, 2006
PATENT

2006 NOV 17 PM 4:07

Dep & Ref

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JAMES G. BUECHLER

Serial No. 10/644,182

Filed August 20, 2003

)
) MODULAR SHELVING SYSTEM
)
) Group Art Unit 3637
)
) Examiner Jose V. Chen
)

REQUEST FOR PARTIAL
ISSUE FEE REFUND

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On January 9, 2006, this application was allowed a first time (see Exhibit "A"). The issue fee was \$1,000.00.

Applicant paid the \$1,000.00 issue fee on March 13, 2006 (Exhibit "B") which was received by the PTO on March 16, 2006 (Exhibit "C").

37 CFR 1.8
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 1, 2006.

Signature

Name

John R. Hoffman
John R. Hoffman

Adjustment date: 12/14/2006 RCLEMONS
08/23/2006 DTERRY 00000004 10644182
01 FC:2501 -700.00 OP

NOV. 7

Allowed July 24, 2006
PATENT

The application was withdrawn from issue on April 12, 2006 (Exhibit "D"). The Notice of Withdrawal states that Applicant either could have requested a refund of the previously paid issue fee or apply the fee to any new issue fee.

On July 24, 2005, this application was allowed a second time (Exhibit "E"). The issue fee was \$700.00.

The second issue fee was paid and U.S. Patent No. 7,124,695 (Exhibit "F") issued on October 24, 2006.

In a "Request to Apply Previously Paid issue Fee to Present Issue Fee Due" (Exhibit "G"), Applicant requested a refund of \$300.00, this being the difference between the first issue fee (\$1,000.00) and the second issue fee (\$700.00).

That refund has never been received. Applicant hereby is repeating that request for a refund.

Respectfully submitted,

By John R. Hoffman
John R. Hoffman
Reg. No. 25,079

November 7, 2006

P.O. Box 191
616 W. 13th Street
Jasper, IN 47547
(812) 481-1730



UNITED STATES PATENT AND TRADEMARK OFFICE

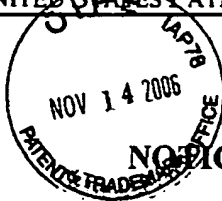


EXHIBIT "A"

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

01/09/2006

John R. Hoffman
616 W. 13th Street
P.O. Box 191
Jasper, IN 47547

EXAMINER

CHEN, JOSE V

ART UNIT

PAPER NUMBER

3637

DATE MAILED: 01/09/2006

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,182	08/20/2003	James G. Buechler		5555

TITLE OF INVENTION: MODULAR SHELVING SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$1000	04/10/2006

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

EXHIBIT "B"

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

01/09/2006

John R. Hoffman
616 W. 13th Street
P.O. Box 191
Jasper, IN 47547

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

JOHN R. HOFFMAN (Depositor's name)
John R. Hoffman (Signature)
March 13, 2006 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,182	08/20/2003	James G. Buechler		5555

TITLE OF INVENTION: MODULAR SHELVING SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$1000	04/10/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHEN, JOSE V	3637	108-180000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

JOHN R. HOFFMAN
2
3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee (No small entity discount permitted)☒ Advance Order - # of Copies

1,000.-
3.-
#1,003.-

4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.


Authorized Signature John R. Hoffman
Typed or printed name JOHN R. HOFFMAN

Date March 13, 2006Registration No. 25,079

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

EXHIBIT "C"

SHELVING-MADE-EASY JAMES G. BUECHLER 148 DEER LANE DR. BLOOMFIELD, IN 47420		555
Date <u>Feb. 23, 2006</u>		71-7752/28337 01
PAY to the Order of	Commissioner for Patents	\$ <u>1,003.00</u>
<u>one thousand three dollars &</u>		<u>xx/100</u> Dollars
		
300 Hwy 381 CRANE, IN 47522 Patent Issue fee: \$700 For <u>publication fee: \$300</u> <u>James Buechler</u> [REDACTED] 0555		

Atty. Ref:

Serial No. 10/644,182

Title: Modular Shelving SystemDate Due in PTO: 04/10/2006

Date Mailed:

The PTO
follows:

Atty. Ref:

Serial No. 10/644,182

Title: Modular Shelving SystemDate Due in PTO: 04/10/2006Date Mailed: 03/13/2006

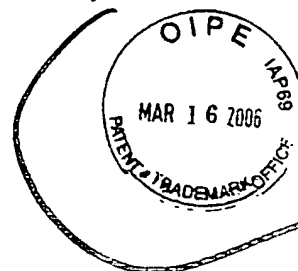
— P7

— 2

The PTO hereby acknowledges receipt of the
following documents:

— PTOL-85 Fee Transmittal.

— Issue Fee (check \$1,003.00).





UNITED STATES PATENT AND TRADEMARK OFFICE

EXHIBIT "D"

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

MAILED
FROM DIRECTOR'S OFFICE

APR 21 2006

TECHNOLOGY CENTER 3600

John R. Hoffman
616 W. 13th Street
P.O. Box 191
Jasper, IN 47547

In re Application of :
James G. Buechler :
Serial No.: 10/644,182 : NOTICE OF WITHDRAWAL
Filed: August 20, 2003 : FROM ISSUE
For: MODULAR SHELVING SYSTEM : UNDER C.F.R. 1.313(b)

The above-identified application is withdrawn from issue after payment of the issue fee due to unpatentability of one or more claims. See 37 CFR 1.313(b)(3).

The application is being withdrawn to permit reopening of prosecution. The reasons therefore will be communicated to you by the examiner.

USPTO records reveal that the issue fee has been paid. The issue fee is refundable upon written request. The applicant may request a refund or may request that the fee be credited to a deposit account. If, however, the application is again found allowable, the issue fee can be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due upon written request. This request and any balance due must be received on or before the due date noted in the new Notice of Allowance in order to prevent abandonment of the application.

Telephone inquiries should be directed to Lanna Mai at (571) 272-6867.

The application is being forwarded to the examiner for prompt appropriate action, including notifying applicant of the new status of this application.

Wynn Coggins, Director
Technology Center 3600
Phone: (571) 272-5350
Fax: (571) 273-8300

lm/wc: 04-06-06

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